

Remarks

Claims 1-21 are pending in the application, and stand rejected. Claims 22 and 23 are newly added.

Claim rejections

Section 112

Claim 15 was rejected under 35 USC 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. The Applicant respectfully traverses.

It is well settled that the claims as originally filed form part of the disclosure. See MPEP 2163.06(III). In this case, the claimed subject matter relates to a mathematical expression. The operative part of this expression is self-defining; the variables are defined in the claim. The claim is definite. Withdrawal of the rejection is therefore respectfully requested.

Section 103

Claims 1-21 were rejected under 35 USC 103(a) as being unpatentable over Biggs et al. (US 6,301,970) ("Biggs"). The Applicant respectfully traverses. Biggs cannot support the asserted rejection for at least the reason that Biggs does not suggest performing accelerated stress testing on a product to a point of product failure to collect accelerated stress testing data, the accelerated stress testing data representing the response of the product operating in a first environment, and calculating the mean-time-between-failures for the product operating in a second environment based on the accelerated stress testing data, as recited in claim 1.

Instead, Biggs relates to performing a computerized simulation using a finite element model, in other words performing a computerized simulation. Biggs does not suggest performing accelerated stress testing on a product to a point of product failure, as recited in claim 1.

Claim 1 is therefore allowable over Biggs. Moreover, claims 2-21 are likewise allowable over Biggs for at least the reason that they include the recitations of claim 1

by dependency thereon. Withdrawal of the rejection of claims 1-21 as being unpatentable over Biggs is therefore respectfully requested.

Section 101

Claims 1-21 were further rejected under 35 USC 101 as being directed to non-statutory subject matter. The Applicant respectfully traverses. Claim 1 does not recite an algorithm. Instead, claim 1 among other things recites the physical act of performing accelerated stress testing on a product to a point of product failure, as noted earlier. Therefore, claim 1 and claims dependent thereon comply with section 101. Withdrawal of the asserted rejection under section 101 is therefore respectfully requested.

New claims

New claims 22 and 23 are allowable over the art of record. For example, Biggs in no way suggests calculating a proportion change in a product life resulting from a re-design of the product based on mean-time-between-failures for the product and mean-time-between-failures for the re-designed product,

Conclusion

In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: Sept. 28, 2001

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